

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED
2016 JUN 10 PM 3:25
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY

UNITED STATES

§

v.

§

CAUSE NO. EP-12-CR-2692-DB(1)

§

JOSE RAUL MARQUEZ ERIVES

§

§

§

AGREED ORDER AMENDING JUDGMENT

The Court considers this case pursuant to its authority under 18 U.S.C. § 3582(c)(2) and Federal Rule of Criminal Procedure 43(b)(4). In Amendment 782 to the Sentencing Guidelines, effective November 1, 2014, the U.S. Sentencing Commission lowered the penalties for most drug offenses by reducing most offense levels on the § 2D1.1 Drug Quantity Table by two levels. In Amendment 788 to the Sentencing Guidelines, the U.S. Sentencing Commission decreed that Amendment 782 may be applied retroactively to lower the sentences of previously sentenced inmates provided that the effective date of the court's order is November 1, 2015, or later. See, U.S.S.G. 1B1.10, amended 788.

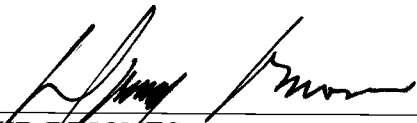
The parties agree that a reduction from the Defendant's current sentence of **120** months is appropriate in this case. The Court having considered the guidelines, and pursuant to the Sentencing Reform Act, the guideline policy statements, and 18 U.S.C. § 3553(a), concurs with the parties. Based on the amended guideline and the reasons previously set forth in the Statement of Reasons included in the judgment and commitment order in this case, the Court finds that an amended sentence of **95** months or time served, whichever is later, is appropriate in this case on each of counts 2 and 3, to be served concurrently. The Court finds that this sentence is sufficient, but not greater than necessary in light of the sentencing objectives in §3553(a)(2).

The Court hereby **ORDERS** as follows:

- (1) Defendant's sentence is reduced to 95 months or time served, whichever is later;
- (2) All other terms and provisions of the original judgment remain in effect.

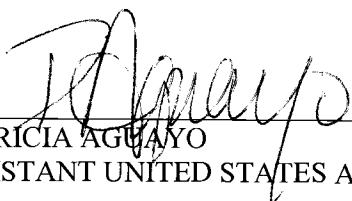
A copy of this agreed order shall be transmitted to the Bureau of Prisons.

ORDERED on this the 10th day of June, 2016.

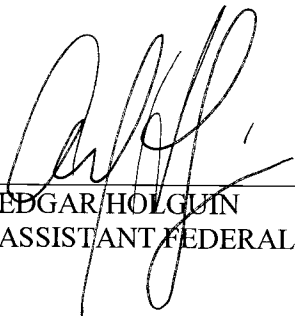


DAVID BRIONES
SENIOR UNITED STATES DISTRICT JUDGE

AGREED:



PATRICIA AGUAYO
ASSISTANT UNITED STATES ATTORNEY



EDGAR HOLGUIN
ASSISTANT FEDERAL PUBLIC DEFENDER